

Message Text

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PAGE 01 STATE 013850
ORIGIN AGRE-00

INFO OCT-01 NEA-10 ISO-00 EB-08 COME-00 L-03 FTC-01 /023 R

DRAFTED BY AGRI-FAS FMD:GANDF:FPGIPS

APPROVED BY NEA/IRN:CWNAAS

FMD:GANDF:DBDOUGLAS

FMD/OAA:JCFOLTZ

AA: JSDECOURCY

AGRI:ERBEVIS

NEA/IRN:RWBEALES

EB/TCA/OCA:WRAU

-----220432Z 130529 /72-62

R 211722Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY TEHRAN

UNCLAS STATE 013850

E.O. 11652: N/A

TAGS: EAGR, IR

SUBJECT: DEMURRAGE CLAIMS/FOREIGN TRANSACTIONS CO.

REF: TEHRAN 0222 JAN 10

HAVE DISCUSSED SUBSTANCE REFTEL WITH RICE MILLERS ASSOCIATION WHICH IN TURN HAS CONSULTED AFFECTED MEMBER FIRMS. THEIR POSITION ON FTC'S PROPOSAL IS SET FORTH IN THEIR LETTER OF JANUARY 17 A COPY OF WHICH IS BEING SENT APO AG ATTACHE TEHRAN. FOLLOWING IS PORTION OF LETTER. QUOTE

(1) THE DEMURRAGE TERMS AS OUTLINED IN PARAGRAPH 3 OF THE CABLE REPRESENT ABOUT ONE-HALF OF CONTRACTED DAILY RATES. RMA MEMBERS ENTERED INTO VALID CONTRACTS WITH FTC WHICH SPECIFICALLY STATED DEMURRAGE RATES TO BE CHARGED. THESE UNCLASSIFIED

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RATES WERE BASED ON THE WORLD MARKET AT THE TIME. THE PROPOSED RATES ARE UNACCEPTABLE.

(2) IT IS OUR UNDERSTANDING THAT THE DATES TO BE USED FOR CALCULATING INTEREST ARE ARBITRARY AND HAVE NO RELATION TO THE ACTUAL TIME PERIODS OF DEMURRAGE CHARGES.

(3) SETTLEMENT OF OVERLAPPING DEMURRAGE CLAIMS ON MULTIPLE CARGOES CAN BE MADE ACCORDING TO CONTRACT TERMS. WE RECOGNIZE THIS TO BE A PROBLEM BUT SEE NO REASON WHY AN

HONEST DETERMINATION CANNOT BE MADE.

THERE IS NO REASON FOR RMA MEMBERS OR ANY OTHER FIRMS THAT HAVE SIGNED LEGITIMATE CONTRACTS TO SETTLE FOR LESS THAN CONTRACT TERMS. ALL INVOICES AND THE NECESSARY DOCUMENTATION HAVE BEEN PROPERLY PRESENTED TO FTC IN TEHRAN. ALSO, CONSIDERABLE EXPENSE HAS BEEN INCURRED BY FIRMS SENDING REPRESENTATIVES BACK AND FORTH TO TEHRAN. WE REQUEST THAT THE U.S. EMBASSY IN TEHRAN BE INSTRUCTED TO PRESS FTC FOR IMMEDIATE AND COMPLETE SETTLEMENT OF ALL OUTSTANDING DEMURRAGE CLAIMS. UNQUOTE.

PLEASE COMMUNICATE RMA POSITION TO MINISTER OF COMMERCE AND PRESS FOR FULL SETTLEMENT AND REPORT RESULTS.

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, CARGO HANDLING, CONTRACTS, FREIGHT RATES
Control Number: n/a
Copy: SINGLE
Sent Date: 21-Jan-1977 12:00:00 am
Decapton Date: 01-Jan-1960 12:00:00 am
Decapton Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE013850
Document Source: CORE
Document Unique ID: 00
Drafter: FAS FMD:GANDF:FPGIPS
Enclosure: TEXT ALSO ON MICROFILM
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770037-0169, P770014-2291
Format: TEL
From: STATE
Handling Restrictions: n/a
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Message ID: 47d0b7d2-c288-dd11-92da-001cc4696bcc
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Review Content Flags:
Review Date: 21-Sep-2004 12:00:00 am
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TAGS: EAGR, ETRD, IR, US, FOREIGN TRANSACTIONS CO, RICE MILLERS ASSOCIATION
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